

EXHIBIT 9

CLOSED, MJSELECT

**U.S. District Court
Eastern District of New York (Brooklyn)
CRIMINAL DOCKET FOR CASE #: 1:04-cr-00182-CBA-2**

Case title: USA v. Rachko et al
Other court case number: 03-1788 USDC-EDNY
Magistrate judge case number: 1:03-mj-01794-MDG

Date Filed: 02/26/2004
Date Terminated: 11/07/2006

Assigned to: Judge Carol B. Amon

Defendant (2)

Julio Vasquez
TERMINATED: 11/07/2006

represented by **Eric P. Franz**
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Pending Counts

21:846 and 841(b)(1)(A)(ii)(II); 18:
3551 et seq-CONSPIRACY TO
DISTRIBUTE NARCOTICS
(3)

Disposition

IMPRISONMENT: 72 months;
SUPERVISED RELEASE: 5 years;
SPECIAL CONDITION: Participation
is substance abuse treatment program;
FINE: \$10,000.00 (to be paid in 6
months); SPECIAL ASSESSMENT:
\$100.00.

Highest Offense Level (Opening)

Felony

Terminated Counts

18:1956(h), 1956(a)(1)(B)(i) and 3551
et seq- CONSPIRACY TO LAUNDER
MONEY- INTERSTATE
COMMERCE
(1)

Disposition

Dismissed on Motion of the Govt.

18:1956(a)(1)(B)(i) and 3551 et seq-
MONEY LAUNDERING -
INTERSTATE COMMERCE
(2)

Dismissed on Motion of the Govt.

18:924(c)(1)(A)(i), 2 and 3551 et seq-
Knowingly and intentionally use and
carry one or more firearms during and
in relation to a drug trafficking crime
(4)

Dismissed on motion of the Govt.

18:1001(a)(2), 2 and 3551 et seq-
Knowingly and willfully make
materially false, fictitious and
fraudulent statements.
(5)

Dismissed on motion of the Govt.

Highest Offense Level (Terminated)

Felony

Complaints

18 U.S.C. secs. 1001(a)(2) and 2 - defts
did knowingly and willfully make
materially false, fictitious and
fraudulent statements and
representations to a Special Agent of
ICE.

Disposition

Plaintiff

USA

represented by **Steven Harley Breslow**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/02/2003	1	SEALED Affidavit in Support of Arrest Warrants/COMPLAINT as to Thomas Rachko (1), Julio Vasquez (2). (Frullo, Veronica)[1:03-mj-01794-MDG] (Entered: 12/08/2003)
12/02/2003	2	Arrest Warrant Issued by Marilyn D. Go as to Thomas Rachko, Julio Vasquez. (Frullo, Veronica)[1:03-mj-01794-MDG] (Entered: 12/08/2003)
12/03/2003	3	Order to Unseal Case as to Thomas Rachko, Julio Vasquez. Signed by Judge Roanne L. Mann on 12/03/03. (Frullo, Veronica)[1:03-mj-01794-MDG] (Entered: 12/08/2003)
12/03/2003		Arrest of Thomas Rachko, Julio Vasquez (Frullo, Veronica)[1:03-mj-01794-MDG] (Entered: 12/08/2003)
12/03/2003	7	Minute Entry for proceedings held before Roanne L. Mann :Initial Appearance as to Julio Vasquez held on 12/3/2003. AUSA Steven Breslow present. Deft present w/counsel James Moschella. Deft arraigned. Detention hearing held; deft released on \$500[1:03,000 bond. Preliminary hearing waived. (Tape #03/285 (2910-4560).) (Frullo, Veronica)[1:03-mj-01794-MDG] (Entered: 12/08/2003)
12/03/2003	8	Secured Bond Entered as to Julio Vasquez in amount of \$ 500,000. Conditions of release: deft's travel is restricted to New York City; deft shall avoid all contact and not associate with Tom Rachko; deft shall surrender any and all passports[1:03 to PTS by 12/04/03 and shall not apply for any other passport; deft is subject to random visits by a OTS officer at deft's home and/or place of work; deft must report to PTS once a week in person; and, deft must undergo random drug testing. The[1:03 bond is secured by the premises located at 386 Dean Street, Brooklyn, NY owned by Julio and Elba Vasquez. (Signed by Magistrate Judge Mann on 12/03/03) (Frullo, Veronica)[1:03-mj-01794-MDG] (Entered: 12/08/2003)
12/03/2003	9	CJA 23 Financial Affidavit by Julio Vasquez (Frullo, Veronica)[1:03-mj-01794-MDG] (Entered: 12/08/2003)

12/03/2003	10	NOTICE OF ATTORNEY APPEARANCE: James M. Moschella appearing for Julio Vasquez (Frullo, Veronica)[1:03-mj-01794-MDG] (Entered: 12/08/2003)
12/31/2003	13	Minute Entry for proceedings held before Viktor V. Pohorelsky :Docket Call as to Thomas Rachko, Julio Vasquez held on 12/31/2003 (Tape #03/309 (0-103).) AUSA Steve Brelsow present. Dft Rachko present w/ counsel Ronald Kliegberman; dft Vasquez presen[1:03t w/ counsel Steve Brill. Time excluded from 12/31 to 1/30/04. (Yuen, Sui-May)[1:03-mj-01794-MDG] (Entered: 01/05/2004)
12/31/2003	12	NOTICE OF ATTORNEY APPEARANCE: Steven J. Brill appearing for Julio Vasquez (Yuen, Sui-May)[1:03-mj-01794-MDG] (Entered: 01/05/2004)
12/31/2003		Attorney update in case as to Julio Vasquez. Attorney James M. Moschella terminated. (Yuen, Sui-May)[1:03-mj-01794-MDG] (Entered: 01/05/2004)
12/31/2003	15	ORDER TO CONTINUE - Ends of Justice as to Julio Vasquez Time excluded from 12/31/03 until 1/30/04 . Signed by Judge Viktor V. Pohorelsky on 12/31/03. (Yuen, Sui-May)[1:03-mj-01794-MDG] (Entered: 01/05/2004)
01/26/2004	16	TRANSCRIPT of Proceedings as to Thomas Rachko, Julio Vasquez held on 12/3/03 before Judge Mann. (Yuen, Sui-May)[1:03-mj-01794-MDG] (Entered: 01/26/2004)
02/03/2004	20	Minute Entry for proceedings held before Roanne L. Mann :Docket Call for an application for an order of excludable delay as to Julio Vasquez held on 2/3/2004. AUSA Shannon Jones present for Steven Breslow. Deft present w/counsel Eric Franz. Order of [1:03excludable delay from 02/03/04 through 03/03/04 eneterd. (Tape #04/28 (4264-4716).) (Frullo, Veronica)[1:03-mj-01794-MDG] (Entered: 02/04/2004)
02/03/2004	21	ORDER TO CONTINUE - Ends of Justice as to Julio Vasquez. Time excluded from 02/03/04 until 03/03/04. Signed by Judge Roanne L. Mann on 02/03/04. (Frullo, Veronica)[1:03-mj-01794-MDG] (Entered: 02/04/2004)
02/26/2004	22	INDICTMENT as to Thomas Rachko (1) count(s) 1, 2, 3, 4, 5, Julio Vasquez (2) count(s) 1, 2, 3, 4, 5. (Permaul, Jenny) (Entered: 03/02/2004)
03/12/2004	23	Minute Entry for proceedings held before Marilyn D. Go :Arraignment as to Julio Vasquez (2) Count 1,2,3,4,5 held on 3/12/2004, Plea entered by Julio Vasquez Not Guilty on counts 1,2,3,4,5. Status Conf. st for 3/18/04 at 9:30 (Tape #not indicated.) (Permaul, Jenny) (Entered: 03/24/2004)
03/18/2004	29	Minute Entry for proceedings held before Carol B. Amon :Status Conference as to Thomas Rachko, Julio Vasquez held on 3/18/2004. Further Conf. set for 4/16/04 at 2:30. OED entered (plea discussions) (Court Reporter Burt Sulzer.) (Permaul, Jenny) (Entered: 04/22/2004)

03/18/2004	30	ORDER TO CONTINUE - Ends of Justice as to Thomas Rachko, Julio Vasquez Time excluded from 3/18/04 until 4/16/04. Signed by Judge Carol B. Amon on 3/18/04. (Permaul, Jenny) (Entered: 04/22/2004)
04/14/2004	26	Writ of Habeas Corpus ad Testificandum Returned Executed for Joshua De La Cruz on 4/7/04 at 10:00 a.m. at EDNY. in case as to Thomas Rachko, Julio Vasquez (Permaul, Jenny) (Entered: 04/14/2004)
04/14/2004	28	Minute Entry for proceedings held before Carol B. Amon :Plea entered by Julio Vasquez (2) Guilty Count 3.. Sentencing set for 7/8/04 at 9:30. (Court Reporter Stephanie Drexler.) (Permaul, Jenny) (Entered: 04/20/2004)
05/12/2004	33	ORDER as to Thomas Rachko, Julio Vasquez: Application granted; the 5/14/04 status conf. is adjourned from 5/14/04 to 5/17/04 at 3:30. Signed by Judge Carol B. Amon on 5/6/04. (See letter dated 5/6/04 from Jeffrey Lichtman, Esq.) (Permaul, Jenny) (Entered: 05/12/2004)
06/17/2004	37	Writ of Habeas Corpus ad Testificandum Issued as to Ernesto Baez for June 10, 2004 in the case as to Thomas Rachko and Julio Vasquez for the purpose to provide information to the U.S. Attorney's Office. (Permaul, Jenny) (Entered: 06/17/2004)
07/09/2004	40	SEALED Letter dated 6/30/04; date of Sealing 7/6/04 as per order of Judge Amon. (Permaul, Jenny) (Entered: 07/09/2004)
10/20/2004	43	CONSENT ORDER OF FORFEITURE as to Julio Vasquez. Signed by Judge Carol B. Amon on 9/30/04. (Black, Amanda) (Entered: 10/20/2004)
10/28/2004	44	ORDER as to Julio Vasquez; Application granted. . Signed by Judge Carol B. Amon on 10/25/04. (Endorsed on letter dated 10/22/04 from Eric Franz) (Fernandez, Erica) (Entered: 10/28/2004)
01/04/2005	45	AMENDED CONSENT ORDER OF FORFEITURE as to Julio Vasquez . Signed by Judge Carol B. Amon on 12/30/04. (4 certified copies fwd to AUSA Claire S. Kedeshian) (Fernandez, Erica) (Entered: 01/04/2005)
01/10/2005	46	SEALED DOCUMENT: Letter. (Black, Amanda) (Entered: 01/10/2005)
05/13/2005	49	SEALED DOCUMENT: Govt Letter dated 5/2/05. (Black, Amanda) (Entered: 05/13/2005)
07/27/2005	50	SEALED DOCUMENT: Letter filed (Permaul, Jenny) (Entered: 07/27/2005)
08/03/2005	51	ORDER as to Julio Vasquez: Application granted; Deft. permitted to travel with his family on the dates indicated in this document. Ordered by Judge Carol B. Amon on 7/27/05. (Endorsed on letter dated 7/27/05 from Eric Franz, Esq.) (Permaul, Jenny) (Entered: 08/03/2005)
08/26/2005	53	NOTICE OF HEARING re modification of bail as to Julio Vasquez Bond Hearing set for 8/31/2005 11:00 AM before Judge Carol B. Amon.

		(Glenn, Marilyn) (Entered: 08/26/2005)
08/26/2005	54	NOTICE OF ATTORNEY APPEARANCE: Eric P. Franz appearing for Julio Vasquez (Franz, Eric) (Entered: 08/26/2005)
08/31/2005	56	Minute Entry for proceedings held before Carol B. Amon : AUSA: Steve Bresslow; Steven Brill, Esq. for the deft.; Status Conference as to Julio Vasquez held on 8/31/2005. RULINGS: Govt.'s application to amend deft.'s bail conditions to home confinement and electronic monitoring and to have deft. bear te cost of the electronic monitoring is GRANTED. (Court Reporter Winnie Valentin.) (Permaul, Jenny) (Entered: 09/02/2005)
09/02/2005	55	SEALED ENVELOPE. (Vaughn, Terry) (Entered: 09/02/2005)
12/16/2005	61	Minute Entry for proceedings held before Carol B. Amon : AUSA: Steven Breslow; Eric Franz, Esq. and Steven Brill, Esq. for the Deft.; Status Conference as to Julio Vasquez(Appearance Waived) held on 12/16/2005. Sentencing adjourned to 2/17/2006 at 09:30 AM before Judge Carol B. Amon. (Court Reporter A. Dandridge.) (Permaul, Jenny) (Entered: 12/28/2005)
12/28/2005	60	SEALED Letter placed in vault; (Govt. Letter dated 11/30/05); Date of Sealing: 12/20/05 as per order of Judge Amon) (Permaul, Jenny) (Entered: 12/28/2005)
12/28/2005	62	SEALED Letter placed in vault(Govt. letter dated 12/20/05); Date of Sealing: 12/20/05 as per order of Judge Amon. (Permaul, Jenny) (Entered: 12/28/2005)
12/28/2005	63	ORDER as to Julio Vasquez: Application granted; deft.'s appearance at the 12/15/05 conf. is wavied. Ordered by Judge Carol B. Amon on 12/15/05. (Endorsed on letter dated 12/15/05 from Eric Franz, Esq.) (Permaul, Jenny) (Entered: 12/28/2005)
02/02/2006	64	SEALED Letter placed in vault(Govt. letter dated 1/27/06); Date of Sealing: 1/30/06 as per order of Judge Amon. (Fernandez, Erica) (Entered: 02/02/2006)
02/17/2006	65	Minute Entry for proceedings held before Carol B. Amon : AUSA: Steven Breslow; Jeffery Lictman, Esq. by Mariewl Lasasso, Esq. for deft. Rachko; Eric Franz, Esq. for deft. Julio Vasquez. Status Conference as to Thomas Rachko, Julio Vasquez held on 2/17/2006. RULINGS: Deflt. RACHKO: Sentencing set for 3/14/06 at 9:30. Sentence submissions: Govt-3/2/06; Deflt:- 3/7/06. Deflt. VASQUEZ: Status Conf. set for 3/30/06 at noon. (Court Reporter Winnie Valentin.) (Permaul, Jenny) (Entered: 02/21/2006)
02/23/2006	66	SEALED LETTER placed in vault(Govr. letter dated 2/21/06); Date of Sealing 2.21.06 as per order of Judge Amon. (Permaul, Jenny) (Entered: 02/23/2006)
03/29/2006	70	TRANSCRIPT of Status Conf. as to Julio Vasquez held on February 17, 2006 before Judge Carol B. Amon. AUSA: Steven Breslow; Steven Brill

		and Mariel Nasso, Esqs. for the Deft.; Court Transcriber: Rosalie Lombardi c/o Transcription Plus II. (Permaul, Jenny) (Entered: 03/30/2006)
03/30/2006	71	Minute Entry for proceedings held before Carol B. Amon : AUSA: Steven Breslow; Eric Franz, Esq. for the Deft.. Status Conference as to Julio Vasquez held on 3/30/2006. Sentencing adjourned without date. Further conf. set for 4/28/06 at 2:00. (Court Reporter Gene Rudolph.) (Permaul, Jenny) (Entered: 04/03/2006)
05/03/2006	72	SEALED Letter as to Thomas Rachko, Julio Vasquez; (Govt.letter dated 4/3/06); Date of Sealing: 5/1/06 as per order of Judge Amon. (Permaul, Jenny) (Entered: 05/03/2006)
06/01/2006	73	ORDER as to Julio Vasquez: Application granted; Mr. Vasquez's bail conditions are modified as set forth in this document. Ordered by Judge Carol B. Amon on 5/22/06.(Endorsed on letter dated 5/12/06 from Liane Chinwalla, Esq.) (Permaul, Jenny) (Entered: 06/01/2006)
06/02/2006	74	Minute Entry for proceedings held before Carol B. Amon : AUSA: Steve Breslow -by Margo Brodie; Jeffrey Lichtman, Esq. by Mariel Lasasso, Esq. for deft. Thomas Rachko; Julio Vasquez, Esq. for the Deft.; Status Conference as to Thomas Rachko, Julio Vasquez held on 6/2/2006. RULINGS: Deft. Rachko: Sentencing adjourned to 7/17/06 at 2:30; Deft. Vasquez: Further conf. set for 7/17/06 at 2:00. Sentencing adjourned w/o date. (Court Reporter Marsha Diamond.) (Permaul, Jenny) (Entered: 06/16/2006)
07/17/2006	75	Letter <i>request for adjournment of status conference</i> as to Julio Vasquez (Franz, Eric) (Entered: 07/17/2006)
07/18/2006	76	ADJOURNMENT NOTICE as to Julio Vasquez Status Conference previously set for 7/17/06 is adjourned to 7/20/2006 at 09:30 AM before Judge Carol B. Amon. (Permaul, Jenny) (Entered: 07/18/2006)
07/19/2006	77	SEALED Letter placed in vault. (Govt. letter dated 7/10/06); Date of Sealing: 7/18/06 as per order of Judge Amon.(Permaul, Jenny) (Entered: 07/19/2006)
07/24/2006	78	ORDER as to Julio Vasquez: Application granted. The 7/20/06 conf. is adjourned to 8/3/06 at 10:00. Ordered by Judge Carol B. Amon on 7/17/06. (Endorsed on letter dated 7/17/06 from Eric Franz, Esq.) (Permaul, Jenny) (Entered: 07/24/2006)
08/08/2006	79	Minute Entry for proceedings held before Carol B. Amon : AUSA: Adam Abensohn; Eric Franz, Esq. for the Deft.; Status Conference as to Julio Vasquez held on 8/8/2006. Sentencing set for 9/22/06 at noon. (Court Reporter Alan Sherman.) (Permaul, Jenny) (Entered: 08/14/2006)
08/15/2006	80	Letter as to Julio Vasquez (Franz, Eric) (Entered: 08/15/2006)
08/23/2006	81	Letter <i>requesting revised sentencing schedule</i> as to Julio Vasquez (Abensohn, Adam) (Entered: 08/23/2006)

09/12/2006	82	ORDER as to Julio Vasquez: Application granted. Mr. Vasquez is permitted to attend a family wedding on 9/23/06 from 1:00 p.m. to 12:00 a.m. in Brooklyn, New York. Ordered by Judge Carol B. Amon on 8/22/06. (Endorsed on letter dated 8/22/06 from Eric Franz, Esq.) (Permaul, Jenny) (Entered: 09/12/2006)
09/20/2006	83	ORDER as to Julio Vasquez: Application granted. Sentencing adjourned to 10/5/06 at 11:00. Ordered by Judge Carol B. Amon on 9/11/06. (Endorsed on letter dated 8/23/06 from AUSA Adam Abensohn) (Permaul, Jenny) (Entered: 09/20/2006)
10/05/2006	88	Minute Entry for proceedings held before Carol B. Amon : AUSA: Adam Abensohn, Esq. for the Deft.; Eric Franz, Esq. for the Deft.; Sentencing held on 10/5/2006 for Julio Vasquez (2), Count(s) 1, 2, Dismissed on Motion of the Govt.; Count(s) 3, IMPRISONMENT: 72 months; SUPERVISED RELEASE: 5 years; SPECIAL CONDITION: Participation is substance abuse treatment program; FINE: \$10,000.00 (to be paid in 6 months); SPECIAL ASSESSMENT: \$100.00.; Count(s) 4, 5, Dismissed on motion of the Govt.. Deft. is order to surrender to designated institution on 11/30/06. Govt.'s downward departure motion granted. (Court Reporter Andrija Dandridge.) (Permaul, Jenny) (Entered: 11/07/2006)
10/13/2006	85	TRANSCRIPT of Sentencing as to Julio Vasquez held on 10/5/06 before Judge Carol B. Amon. Court Transcriber: Shari Reimer; Audio Operator: A. Dandridge; AUSA: Adam Abensohn; Eric Franz, Esq. and Steven Brill, Esq. for the Deft. (Permaul, Jenny) (Entered: 10/16/2006)
11/07/2006	89	JUDGMENT as to Julio Vasquez (2), Count(s) 1, 2, Dismissed on Motion of the Govt.; Count(s) 3, IMPRISONMENT: 72 months; SUPERVISED RELEASE: 5 years; SPECIAL CONDITION: Participation is substance abuse treatment program; FINE: \$10,000.00 (to be paid in 6 months); SPECIAL ASSESSMENT: \$100.00.; Count(s) 4, 5, Dismissed on motion of the Govt. Deft. is to surrender before 2:00 p.m. on 11/30/06. FINAL ORDER OF FORFEITURE singed by Judge Amon attached to this judgment. Ordered by Judge Carol B. Amon on 10/31/06. c/m by chambers (Permaul, Jenny) (Entered: 11/07/2006)
11/29/2006	90	First MOTION to Continue <i>surrender date</i> by Julio Vasquez. (Franz, Eric) (Entered: 11/29/2006)
12/04/2006	91	ORDER as to Julio Vasquez: Appplication granted. Mr. Vazquez's surrender dated is adjourned from 11/30/06 to 12/14/06. Ordered by Judge Carol B. Amon on 11/29/06.(Endoresed on copy of ECF Doc. # 90)(Permaul, Jenny) (Entered: 12/04/2006)

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